

NEW UNITED STATES UTILITY PATENT APPLICATION  
under 37 C.F.R. 1.53(b)

Atty. Docket No. 005127.00266

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10: The undersigned hereby certifies that this United States Patent Application and all papers noted herein as being attached, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 today, **February 6, 2004**, and is addressed to: Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450

By Donna M. Tomaso  
Donna M. Tomaso

Express Mail Label No.: EV396913668US

2387 U.S. PTO  
10/774704  
020604

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Enclosed herewith is a new patent application and the following papers:

Inventor (or application identifier): **Joseph L. Ungari**

Title of Invention: **ARTICLE OF FOOTWEAR WITH VARIABLE SUPPORT STRUCTURE**

1. ☒ Specification 16 pages (including specification, claims, abstract) / 35 claims (3 independent)
2. ☒ Declaration/Power of Attorney is:  
☐ attached in the regular manner.  
☒ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☒ This Application has 2 distinct sheets of ☐ Formal ☒ Informal Drawings
4. ☐ Preliminary Amendment.
5. ☐ Information Disclosure Statement  
☐ Form 1449  
☐ A copy of each cited prior art reference
6. ☐ Assignments (2) with Cover Sheets.
7. ☐ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s) (provisional and foreign applications):

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Country	Application Number	Date of Filing (day, month, year)

8. ☐ Priority document(s).
9. ☐ Small Entity Status is being hereby claimed.
10. ☐ Nucleotide and/or Amino Acid Sequence Submission.
- ☐ Computer Readable Copy.
- ☐ Paper Copy (identical to computer copy).
- ☐ Statement verifying identity of above copies.

11. Calculation of Fees:

FEES FOR	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))			\$770.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	15	18.00	270.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	0	86.00	0.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	0	290.00	\$0.00
Subtotal - Filing Fee Due			\$1,040.00
	MULTIPLY BY		
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	0.50		\$0.00
<b>TOTAL FILING FEE DUE</b>			<b>\$1,040.00</b>
Publication Fee (37 C.F.R. § 1.18(d))			0.00
Assignment Recordation Fees (if applicable) (37 C.F.R. § 1.21(h))	X2	40.00	\$0.00
<b>GRAND TOTAL DUE</b>			<b>\$1,040.00</b>

12. PAYMENT is:

- ☐ The Commissioner is authorized to debit the instant filing fee, in the amount of \$\_\_\_\_\_, and any other fees during the pendency of this application under 37 C.F.R. §§ 1.16, 1.17 and 1.18, to Deposit Account No. 19-0733. A duplicate copy of this letter is enclosed.
- ☒ not included, but deferred under 37 C.F.R. § 1.53(f)

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13. All correspondence for the attached application should be directed to:

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14. Other: Application Data Sheet (3 pages) and Return Postcard.

Date:

February 6, 2004

By:

Gregory J. Cohan  
Gregory J. Cohan  
Reg. No. 40,939

GJC/dmt  
Enclosures  
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